

Remarks

Applicants respectfully request reconsideration of the above-identified application. Claims 1-6, 9-10, and 15-57 remain in this Application. Claims 7-8 and 11-14 were previously canceled. Claims 1-6, 9-10, 15-20, 40-47, and 56-57 stand withdrawn as directed to non-elected subject matter. Independent claims 48 and 51, as well as dependent claims 52-54, are amended. Support for these amendments may be found in the Application as originally filed, for example, at page 7, line 25 to page 8, line 13.

I. Rejections based on art.

Claims 21-23 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent 4,596,111 to Ambrose. Applicants respectfully traverse this rejection.

To anticipate a claim, an applied reference must teach each and every element of the claim. MPEP §2131.

Regarding independent claim 21, Ambrose fails to teach or suggest that the platform and conveyor are movable relative each other “to compress the stacked arrangement of discrete sheets *between the platform and the conveyor* to produce the packaging insert” as recited by independent claim 21 (emphasis added). To the contrary, Ambrose teaches that the sheets 44, 58, 70, and 74 are compressed together between upper heat sealer 76 and lower heat sealer 64. (Figure 19; column 5, lines 40-43.)

The rejected dependent claims 22-23 contain recitations in addition to those of the independent claim 21 from which they depend, and are therefore further patentable over Ambrose.

Claims 21-23, 26-29, 31, 33-39, 48-49 and 51-54 were rejected under 35 U.S.C. §103(a) as obvious in view of U.S. Patent 5,730,817 to Feygin combined with Ambrose.

Applicants respectfully submit that a *prima facie* case of obviousness has not been established to shift the burden of rebuttal to the Applicant. One of the requirements of a *prima facie* case of obviousness is that the applied prior art reference must teach or suggest *all* of the

claim limitations. MPEP §706.02(j). A claimed invention is not obvious in view of a combination of references that does not teach or suggest all of the claim recitations. MPEP §2143.03.

Regarding independent claim 21, Feygin fails to teach or suggest that the platform and conveyor are movable relative each other “to compress the stacked arrangement of discrete sheets *between the platform and the conveyor* to produce the packaging insert” as recited by independent claim 21 (emphasis added). To the contrary, Feygin teaches that the stack 58 is compressed between work table 130 and bonding tool roller 48. (Figure 1; column 8, lines 13-53.)

Ambrose fails to supplement the above-noted shortcoming of Feygin. Ambrose teaches that the sheets 44, 58, 70, and 74 are compressed together between upper heat sealer 76 and lower heat sealer 64. (Figure 19; column 5, lines 40-43.) Thus, Ambrose also fails to teach or suggest “to compress the stacked arrangement of discrete sheets *between the platform and the conveyor*” as recited by independent claim 21 (emphasis added).

Regarding independent claim 48, Feygin fails to teach or suggest “one or more cutting heads movable transversely and longitudinally relative to the conveyor to define a cutting area *over the conveyor*, and adapted to *cut the sheet stock in the cutting area over the conveyor* while the sheet stock is supported by the conveyor into sequential discrete sheets of desired shapes” as recited by amended claim 48 (emphasis added). To the contrary, Feygin teaches that sheet 36 is cut by cutting tool 46 downstream from the pinch rollers 37. (Figure 1; column 4, lines 12-30.)

Ambrose teaches cutter 78 upstream from pulling means 72. (Figure 18; column 5, lines 32-48.) Accordingly, Ambrose fails to supplement the above-noted shortcoming of Feygin with respect to amended independent claim 48.

Regarding independent claim 51 as amended, each of Feygin and Ambrose fails to teach or suggest a conveyor belt.

Dependent claims 24-25 and 50 were rejected under 35 U.S.C. §103(a) as obvious in view of Feygin combined with Ambrose further in view of U.S. Patent 5,651,237 to De Luca. De Luca was cited to show a vacuum conveyor. However, De Luca fails to supplement the above-noted shortcomings of the combination of Feygin with Ambrose as discussed above with respect to the independent claims from which dependent claims 24-25 and 50 ultimately depend.

Dependent claim 30 was rejected under 35 U.S.C. §103(a) as obvious in view of Feygin combined with Ambrose further in view of the Cutting Specialists website printout dated December 1, 2009. Cutting Specialists was cited to show a vacuum head next to a laser cutting head. The Cutting Specialist website printout that is dated December 1, 2009 is dated after the filing date of the present Application and therefore is not properly available as prior art to the present Application. In any event, the Cutting Specialists website printout fails to supplement the above-noted shortcomings of the combination of Feygin with Ambrose as discussed above with respect to independent claim 21 from which dependent claim 30 ultimately depends.

Dependent claims 32 and 55 were rejected under 35 U.S.C. §103(a) as obvious in view of Feygin combined with Ambrose further in view of the ThomasNet: "Stainless Steel Waterjet Cutting Services" website printout dated December 1, 2009. ThomasNet was cited to show a water jet cutting head. The ThomasNet website printout that is dated December 1, 2009 is dated after the filing date of the present Application and therefore is not properly available as prior art to the present Application. In any event, the ThomasNet website printout fails to supplement the above-noted shortcomings of the combination of Feygin with Ambrose as discussed above with respect to independent claims 21 and 51, from which dependent claims 32 and 55 ultimately depend, respectively.

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The remaining rejected dependent claims contain recitations in addition to those of the independent claims from which they ultimately depend, and are therefore further patentable over the combination of Feygin and Ambrose.


II. Conclusion

In view of the amendments to the claims and these remarks, it is respectfully submitted that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

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